

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

## STAFF REPORT

Hearing Date/Agenda Number  
P.C. 10/27/04 Item No.: 3.a.

File Number  
CP04-053

Application Type  
Conditional Use Permit

Council District  
5

Planning Area  
Alum Rock

Assessor's Parcel Number(s)  
612-36-048; 035

### PROJECT DESCRIPTION

Completed by: Suparna Saha

Location: Northeast corner of Clayton Road and Pine Ridge Way ( 3535 Clayton Road)

Gross Acreage: 1.98

Net Acreage: 1.98

Net Density: N/A

Existing Zoning: R-1-5 Residence

Existing Use: Religious Assembly (Church)

Proposed Zoning: No change

Proposed Use: Existing use w/ 2 wireless communication antennas concealed within a modified cross (church)

### GENERAL PLAN

Completed by: Suparna Saha

Land Use/Transportation Diagram Designation  
Urban Hillside

Project Conformance:  
☒ Yes ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: Suparna Saha

North: Single-family detached residential

R-1-5 Residence

East: Unincorporated

County

South: Single-family detached residential

R-1-8 Residence

West: Single-family detached residential

R-1-5 Residence

### ENVIRONMENTAL STATUS

Completed by: Suparna Saha

☐ Environmental Impact Report found complete  
☐ Negative Declaration circulated on  
☐ Negative Declaration adopted on

☒ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: Suparna Saha

Annexation Title: Hillview No. 2

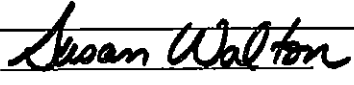
Date: December 28, 1967

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Approval  
☒ Approval with Conditions  
☐ Denial  
☐ Uphold Director's Decision

Date: October 20, 2004

☐ \_\_\_\_\_

Approved by:   
☒ Action  
☐ Recommendation

### APPLICANT/OWNER

### DEVELOPER

Mt Pleasant Christian Church of San Jose  
Attn: Gary Woodard  
3535 Clayton Road, San Jose, CA 95127

Kristina Woerner, The Alaris Group  
185 Berry Street, Suite 5300  
San Francisco, CA 94107

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: Suparna Saha

Department of Public Works

No comments

Other Departments and Agencies

Fire Department

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**GENERAL CORRESPONDENCE**

None

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, Sprint PCS, is requesting a Conditional Use Permit to allow up to two (2) wireless communication antennas mounted within a modified church cross and associated 500 square-foot equipment cabinets on the grounds of an existing church site. The Zoning Ordinance requires a Conditional Use Permit for installation of wireless communication antennas in the R-1-5 Residence Zoning District.

The antenna facility is proposed to be located on the grounds of Mt. Pleasant Christian Church of San Jose located at the northeast corner of Clayton Road and Pine Ridge Way. The site is developed with the main sanctuary building, and buildings for offices and church related uses. The site is bounded by single-family residences to the north, south and west and County (unincorporated) rural territory to the east.

In 1996, staff explored the issues of electromagnetic radiation to determine if emissions from the proposed antennas posed a public health concern. Staff found that the low-frequency, low-energy, non-ionizing emission associated with wireless communications antennas were well below the recognized safety standards set by the American National Standards Institute (ANSI). Staff concluded there was no evidence that such transmission would result in adverse health effects to people living or working in the vicinity of the antennas. Further, Staff investigated reports that wireless communication transmission interfered with hearing aids, pace makers, and other electronic devices. Staff determined the reported interference resulted from cordless telephones and not from the antennas.

**Project Description**

The project proposes to locate two (2) wireless antennas concealed within an existing 25-foot tall church cross. The proposal includes modifications to the existing cross to accommodate the proposed antennas. The total height of the existing cross is approximately 25-feet which will not increase under this proposal.

The modified cross will be constructed of steel, similar to that of the existing cross, and will be painted white to match the church. The proposed antennas will be mounted within the upper section of the cross at a height approximately 23 feet. Each antenna measures 54"x7"x3.5" (LxWxD) and is rectangular in shape. The width of the existing cross is 7 inches and will be increased by approximately 5 inches to accommodate the antennas. The antennas within the cross will not be visible when looking at the cross. Photo simulations of the proposed project have been provided by the applicant and are attached to this report.

The area in which the cross with antennas is proposed is located at the rear of the property, roughly in the northeast corner. It will be set back 34'-0" and 31'-0" from the easterly and northerly property lines respectively.

The accompanying equipment cabinet is proposed to be located along the northerly property line approximately 120 feet west from the antennas at the lower reaches of the existing hill grade. The nearest residential property line from the equipment/lease area is 22'-6". The equipment cabinets are to be located within a 25' x 20' lease area, fenced with a 6-foot masonry wall that will be painted and textured to match the nearby existing building. The cabinets will be placed on a 12' x 18' concrete pad within the lease area.

A grouping of existing trees and shrubs lies between the property line and equipment area, which will act as a buffer between the property line and the equipment area. Additionally, nine (9) shrubs and three (3) 24-inch box Pepper trees (*Schinus molle*) are proposed to be planted to further screen the project equipment from all sides, especially the adjacent single-family residences. Currently, Pepper trees exist on the property at the southwest side near the driveway and parking lot. Access to the equipment cabinets will be from the existing 12-foot wide unpaved access route that extends from the front (Clayton Road) to the rear of the property. The existing chain link and barbed wire fences will be replaced with 6-foot tall wooden fences. Coaxial cables will connect the antennas to the equipment within the enclosure. This proposal does not include an emergency back-up generator.

## ENVIRONMENTAL REVIEW

Under the provisions of Section 15301(e)(1) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environment review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act. This section of the guidelines provide an exemption for the operation, leasing, etc. of existing private structures with no significant expansion of use. The proposed use is for addition of two (2) wireless communication antennas within a modified cross and ground mounted 500 square-foot equipment enclosure on an existing church site. It is staff's opinion that the proposal adequately conforms to this section of the CEQA Guidelines.

## GENERAL PLAN CONFORMANCE

The subject site is designated Urban Hillside on the San José 2020 General Plan Land Use/Transportation Diagram. The General Plan states that developed parcels of two acres or less are considered to conform with the General Plan regardless of how the parcel is designated on the Land Use/Transportation Diagram. The subject site is 1.98 acres in size and contains existing religious assembly use improvements; therefore, a proposal for wireless antennas is considered to conform to the "public/quasi public" General Plan on this site.

## ANALYSIS

The primary issues analyzed under this proposal include conformance to 1) the Zoning Ordinance, and 2) the City Council Policy 6-20, *Land Use Policy for Wireless Communications Antennas*, which provides criteria for siting such facilities including location, setbacks from residential uses, and parking.

### Conformance to the Zoning Ordinance

The locations of the proposed antennas and equipment shelter conform to the setback requirements of the R-1-5 Residence zoning district. Additionally, under section 20.80.1900 of the Zoning code, specifically related to wireless communication antennas, new antenna structures mounted on existing buildings or structures may extend up to 10 feet above the height of the existing structure provided that the antennas are architecturally integrated into the structure and do not add to the visual clutter of the structure. In this case, the placement of the antennas will be

in such a manner that the height of the existing cross will not be increased and the project will therefore comply with the height allowance in the Zoning Code.

The proposed project does not include either a temporary or permanent emergency back-up generator. In the event the installation of such equipment is proposed in the future, such a proposal would be subject to a Special Use Permit and additional environmental review.

#### **Conformance to City Council Policy 6-20 for Wireless Communications Antennas**

The City Council policy generally discourages wireless communications facilities from properties with residential land use designations except Residential Support for the Core, High-Density Residential, or Transit Corridor Residential. Although the site is designated for Urban Hillside, the project conforms to the General Plan because the 1.98 gross acre site contains an existing freestanding monopole (cross) on a church site treated as if designated public/quasi public. Therefore, the proposed project will locate antennas, sharing a single monopole structure, on residentially-designated property developed solely with non-residential uses such as religious assembly. The Council Policy allows communication antennas and associated equipment shelters concealed inside an existing "stealth" poles (cross) thus being consistent with the Council policy.

The Council policy indicates that antennas should be mounted on freestanding monopoles such as within a church cross, located at a minimum distance of 35 feet horizontally from a single-family residential property line. The structure-mounted antennas are located approximately 31 and 34 feet horizontally from the easterly and northerly single-family residential property lines. Staff believes that the siting of this monopole is generally consistent with the intent of the Council Policy to ensure separation between the antenna use and residences, given the rural character of the area and very large residential lots. The antennas will be located inside a modified existing cross, approximately 25 feet tall. The antennas will not exceed the existing height of the structure.

The Council Policy requires freestanding monopoles/ structure-mounted antennas to be located to minimize visual impacts and to be architecturally-integrated into the structure. It also requires ancillary equipment to be screened. The proposed antennas are located inside an existing cross. Although, the cross will be slightly modified by 5 inches in width to accommodate the antennas it will not significantly add to the visual impacts already created by the existing cross. The cross will be replacing an existing cross of the same height, color and design.

The equipment enclosure is proposed to be screened by 6-foot tall masonry wall that will be painted and textured to match the existing building. The project will replace existing chain-link and barbed wire fences along the northeastern and northern boundaries of the residentially designated property line with 6-foot redwood fencing. Although the equipment is located behind existing rear yard fences, the proposed equipment and enclosure will not be visible from adjacent properties. In conformance with the Policy, additional landscaping, including nine (9) shrubs, three (3) 24" box Pepper trees, are to be planted to screen the visibility of the equipment enclosure from the northern residential property line and the view from Clayton Road (since the property is located above 15% slope line).

#### **PUBLIC OUTREACH**

Notices of the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the subject site. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report. Staff has been available to discuss the project with interested members of the public.

## RECOMMENDATION

The Planning staff recommends that the Planning Commission approve the requested Conditional Use Permit and include the following findings and conditions in its Resolution.

The Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. This site has a designation of Urban Hillside on the adopted San José 2020 General Plan Land Use/Transportation Diagram.
2. The General Plan states that developed sites that are two acres or less in size conform to the General Plan regardless of how it is designated on the Land Use/Transportation Diagram. This site is considered to be public/quasi-public in that it is developed as a religious assembly property.
3. The subject site is 1.98-acres in size and is owned and developed as a religious assembly facility, with an existing cross.
4. The proposed project includes installation of two (2) wireless communication antennas inside a modified existing cross (monopole) 25 feet in height and 12 inches wide.
5. The proposed antennas will not increase the overall height of the existing cross (monopole).
6. The proposed antennas will have a minimum horizontal separation of 31 feet and 34 feet from the nearest residential property lines. Although the Council Policy indicates 35 feet should be the usual minimum horizontal distance to residential property lines, the Policy intent is met given the rural character of the area and very large lot nature of the residential development, ensuring adequate separation of uses.
7. The antennas will be concealed inside the cross which will be painted to match the surrounding structures to minimize the visual impact created by the modifications of the cross on site. Additional landscaping is proposed to screen the visibility of the equipment enclosure from the residential property line and from Clayton Road.
8. Under the provisions of Section 15301 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.
9. The proposed equipment enclosure will effectively screen the equipment with a new 6-foot tall masonry wall.
10. The proposed project does not include an emergency back-up generator.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The proposed project conforms to the site's General Plan Land Use/Transportation Diagram designation of Urban Hillside given the site is less than two acres and developed with a church, giving the site an effective "public/quasi-public" designation.
2. The proposed project complies with all applicable provisions of the Zoning Ordinance.

3. The proposed project is in compliance with the California Environmental Quality Act.
4. The proposed project is generally consistent with City Council Policy 6-20: Land Use Policy for Wireless Communication Facilities.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

1. The proposed use at the location requested will not
  - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
  - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
  - c. Be detrimental to public health, safety or general welfare; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding areas; and
3. The proposed site is adequately served:
  - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
  - b. By other public or private service facilities as are required.

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

### CONDITIONS PRECEDENT

This Conditional Use Permit shall have no force or effect and the subject property shall not be used for the hereby permitted uses unless and until all things required by the below-enumerated precedent conditions shall have been performed or caused to be performed and this Resolution has been recorded with the County Recorder.

1. **Acceptance and Payment of Recording Fees.** The "Acceptance of Permit and Conditions" form shall be **signed, notarized, and returned** to the Department of City Planning within **60 days** from the date of issuance of the resolution granting the permit. *Failure to do so will result in this permit automatically expiring regardless of any other expiration date contained in this permit.* Fees for recording a Certificate of Permit with the Recorder for the County of Santa Clara must be submitted along with the Acceptance Form.

## CONCURRENT CONDITIONS

The subject property shall be maintained and utilized in compliance with the below-enumerated conditions throughout the life of the permit:

1. **Conformance with Plans.** Construction and development shall conform to approved development plans entitled, "Mt. Pleasant Christian Church SF60XC816B" dated May 17, 2004, revised October 13, 2004, on file with the Department of Planning, Building and Code Enforcement.
2. **Nuisance.** This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
3. **Construction Hours.** Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit.
4. **Lighting.** This permit allows no on-site lighting.
5. **Tree Removals.** No tree larger than 56 inches in circumference, at a height 24 inches above the natural grade slope, may be removed without a Tree Removal Permit issued by the Director of Planning.
6. **Outside Storage.** No outside storage is permitted for the project except in areas designated on the approved plan set.
7. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning.
8. **Colors and Materials.** All building, structures and fencing colors and materials are to be those specified on the approved plan set.
9. **Building Clearance for Issuing Permits.** Prior to the issuance of a Building Permit, the following requirements must be met to the satisfaction of the Chief Building Official:
  - a. *Construction Plans.* This permit file number, CP04-053 shall be printed on all construction plans submitted to the Building Division.
  - b. *Emergency Address Card.* The project developer shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
  - c. *Construction Conformance.* A project construction conformance review by the Planning Division is required. Planning Division review for project conformance will begin with the initial plan check submittal to the Building Division. Prior to final inspection approval by the Building Department, Developer shall obtain a written confirmation from the Planning Division that the project, as constructed, conforms with all applicable requirements of the subject Permit, including the plan sets. To prevent delays in the issuance of Building Permits, please notify Planning Division staff at least one week prior to the final Building Division inspection date.
10. **Fire Hydrants.** Public (off-site) and private (on-site) fire hydrants shall be provided as required to the satisfaction of the Fire Chief.

11. **Fire Hydrants and Driveways.** All fire hydrants shall be at least 10 feet from all driveways to the satisfaction of the Fire Chief.
12. **Fire Flow.** Required fire flow for the site is 2,000 gpm, or as otherwise approved in writing by the Fire Chief.
13. **Fire Lanes.** Fire lanes, suitably designated "FIRE LANE - NO PARKING," shall be provided to the satisfaction of the Fire Chief.
14. **Hazardous Materials.** Any hazardous materials regulated by Chapter 17.68 of the San José Municipal Code on the site must be used and stored within approved buildings and/or within areas specified on the approved plan set, if any, in full compliance with the City's Hazardous Material Ordinance and the Hazardous Materials Management Plan for the site approved by the San José Fire Prevention Bureau.
15. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings, structures, fencing, and wall surfaces within 48 hours of defacement.
16. **Landscaping.** Planting and irrigation are to be provided, as indicated, on the final Approved Plan Set. Landscaped areas shall be maintained and watered and all dead plant material is to be removed and replaced by the property owner. Irrigation is to be installed in accordance with Part 4 of Chapter 15.10 of Title 15 of the San José Municipal Code, Water Efficient Landscape Standards for New and Rehabilitated Landscaping and the City of San José Landscape and Irrigation Guidelines.
17. **Certification.** Pursuant to San José Municipal Code, Section 15.10.486, certificates of substantial completion for landscape and irrigation installation shall be completed by licensed or certified professionals and provided to the Department of Planning, Building and Code Enforcement prior to approval of the final inspection of the project.
18. **Discontinuation of Use.** Upon discontinuation of the use of the subject antennas, the applicant shall remove all antenna improvements and related equipment/enclosures associated with this permit within 30 days.
19. **Co-location.** The owner(s) and operators of the proposed antenna support structure shall allow the co-location of PCS antennas for other providers. Other wireless providers shall also be allowed to add on to existing at grade equipment enclosures.
20. **Generators.** This project does not permit the use temporary or permanent emergency back-up generators unless otherwise approved by the Director of Planning.

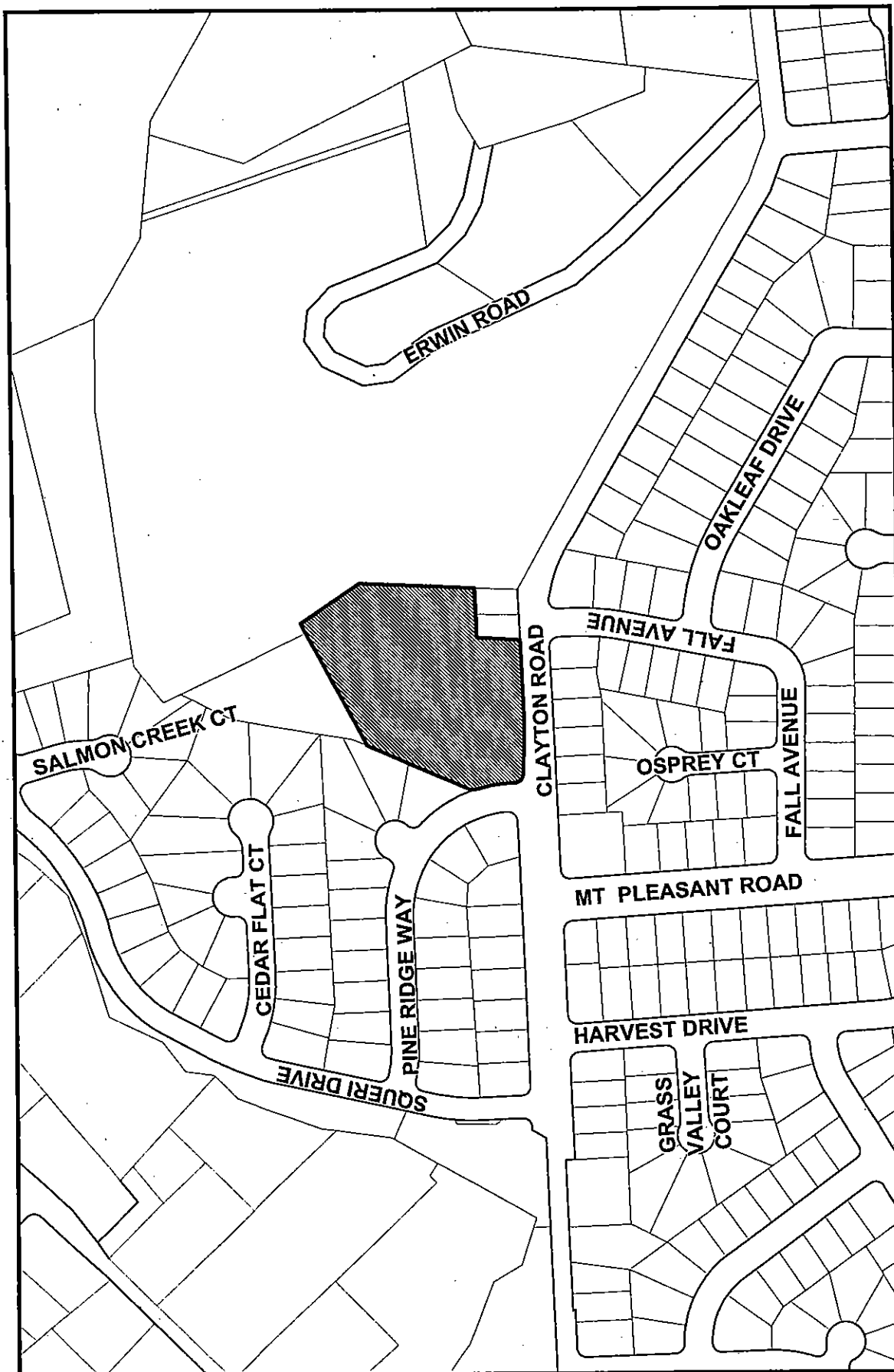
## CONDITIONS SUBSEQUENT

1. **Permit Expiration.** This Conditional Use Permit shall automatically expire two years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such two-year period, the proposed use of this site or the construction of buildings has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit for a period of up to two years. The Permit Adjustment must be approved prior to the expiration of this Permit.



2. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:

- a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates a nuisance.



**File No: CP04-053**

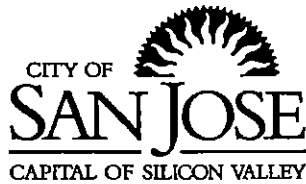
**District: 05**

**Quad No.: 69**

Scale: 1"=300'

Created on 06/07/04





# Memorandum

**TO:** Deanna Chow  
Planning and Building

**FROM:** Ebrahim Sohrabi  
Public Works

**SUBJECT: FINAL RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE:** 06/15/04

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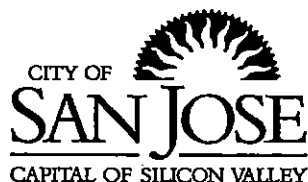
**PLANNING NO.:** CP04-053  
**DESCRIPTION:** Wireless - Conditional Use Permit to install one wireless communications antenna concealed within one new 25 foot high monopole, and associated 500 square foot cabinet shelter at an existing church on a 1.98 gross acre site  
**LOCATION:** northeast corner of Clayton Road and Pine Ridge Way  
**P.W. NUMBER:** 3-0932

Public Works received the subject project on 06/11/04. We have no comments or requirements.

Please contact the Project Engineer, Mirabel Aguilar, at (408) 277-5161 if you have any questions.

Ebrahim Sohrabi  
Senior Civil Engineer  
Transportation and Development Services Division

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RECEIVED  
JUN 24 2004  
CITY OF SAN JOSE  
PLANNING DEPARTMENT

## Memorandum

TO: Deanna Chow  
Planning and Building

FROM: Nadia Naum-Stoian,  
Fire Prevention Engineer  
San Jose Fire Department

SUBJECT: INITIAL RESPONSE TO  
DEVELOPMENT APPLICATION

DATE: 06/24/04

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Approved

Date

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PLANNING NO.: CP04-053  
DESCRIPTION: Wireless - Conditional Use Permit to install one wireless communications antenna concealed within one new 25 foot high monopole, and associated 500 square foot cabinet shelter at an existing church on a 1.98 gross acre site  
LOCATION: northeast corner of Clayton Road and Pine Ridge Way  
ADDRESS: northeast corner of Clayton Road and Pine Ridge Way (3535 CLAYTON RD)  
FOLDER #: 04 115493 AO

The San Jose Fire Department has reviewed the related plans as submitted and has the following comments and requirements.

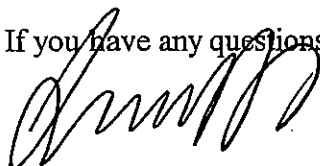
- A permit must be obtained from the Building and Fire Departments. Submit three (3) sets of construction plans to the Building Department, one (1) of those sets of plans will be routed to the San Jose Fire Department for review and comments.
- Fire Department comments to Planning Department File No. CP04-053 apply to this project.
- When submitting construction plans to the Building Department, **they shall include Planning's Development Permit File Number** printed on the construction plans.
- **THE FOLLOWING GENERAL REQUIREMENTS ARE APPLICABLE TO THE SUBJECT APPLICATION:**
  - Facilities for emergency vehicle access:

- A. Roads and/or driveways shall have a minimum clear width of 20 feet.  
Uniform Fire Code, Section 902.2.2.
  - B. A bulb or hammerhead turn-around shall be provided at the end of all dead-end driveways over 150 feet in length.
  - C. Minimum Vertical clearance shall be 14 feet.
- Each locked gate on site shall have an approved device with unlocking capability. Contact the Fire Department's Bureau of Fire Prevention at (408) 277-4656 for approved devices. Provide a manual means of opening gate if there is a power failure.
  - Gate hardware, post, etc., shall be placed inside the curbed area so as not to decrease the width of the fire lane and impede access to emergency vehicles.
  - The Hazardous Materials process can be lengthy and complex. The applicant should contact the Hazardous Materials Division at (408) 277-4659 as soon as possible to initiate the process.

Use or storage of hazardous materials, liquids, gases and/or chemicals will be subject to meeting the requirements of the Hazardous Materials Storage Ordinance, the Toxic Gas Ordinance, the applicable sections of the San Jose Fire Code, and the National Fire Codes. Submit names and amount of any hazardous materials, if they are to be stored or used, to the Bureau of Fire Prevention for review and approval.

- A permit and applicable fees must be obtained prior to the use, storage, or handling of hazardous materials, liquids, gases, and/or chemicals.
- Obtain permit and pay applicable fees prior to the installation, repair, alteration, abandonment, or place temporarily out-of-service tanks, piping or equipment in connection with the storage, use or handling flammable/combustible liquids, toxic gases, or other chemicals, and meet the requirements of the Hazardous Materials Storage Ordinance, the Toxic Gas Ordinance, and applicable sections of the San Jose Fire Code and National Fire Codes.
- Contact the Hazardous Materials Division at (408) 277-4659 regarding storage requirements for construction site use and storage of regulated materials.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8754.



BY: Nadia Naum-Stoian, FPE  
Bureau of Fire Prevention

Planning and Building

06/24/04

**Subject: CP04-053**

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San Jose Fire Department

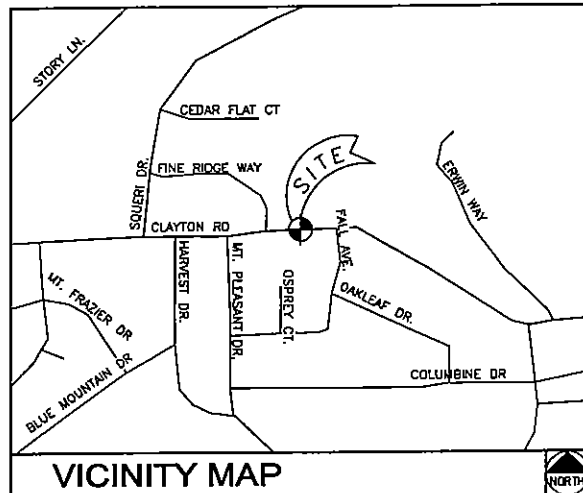
Fire Site Memo to Planning Application



# MT. PLEASANT CHRISTIAN CHURCH SF60XC816B

3535 CLAYTON RD.  
SAN JOSE, CA 95127

SITE TYPE: RAW LAND



#### DIRECTIONS TO SITE FROM NEAREST INTERSTATE EXIT:

- 1: FROM I-680 TOWARDS SAN JOSE 1.6 MILES MAP
- 2: TAKE THE CAPITOL EXPRESSWAY EXIT, 0.4 MILES MAP
- 3: MERGE ONTO E CAPITOL EXPRY, 0.6 MILES MAP
- 4: TURN LEFT ONTO STORY RD, 1.0 MILES MAP
- 5: TURN SLIGHT RIGHT ONTO CLAYTON RD, 0.8 MILES MAP
- 6: END AT 3535 CLAYTON RD SAN JOSE CA

#### DRIVING DIRECTIONS

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR SPRINT'S WIRELESS TELECOMMUNICATIONS NETWORK. PANEL ANTENNAS, CONCEALED INSIDE NEW CROSS. NEW EQUIPMENT CABINETS INSIDE A 12'x18' CMU WALL ENCLOSURE WITHIN A 20'x25' LEASE AREA. POWER AND TELCO SERVICE FROM EXISTING SOURCES.

#### PROJECT DESCRIPTION

##### APPLICANT/LESSEE

NAME: SPRINT  
ADDRESS: 6580 SPRINT PARKWAY  
OVERLAND PARK, KANSAS 66251  
CONTACT: CHERI LUPARI  
PHONE: (913) 227-1944

##### AGENT 1

NAME: AFL TELECOMMUNICATIONS  
ADDRESS: 167 TECHNOLOGY DRIVE  
IRVINE, CALIFORNIA 92618

##### AGENT 2

NAME: THE ALARIS GROUP  
ADDRESS: 185 BERRY STREET, SUITE 5300  
SAN FRANCISCO, CALIFORNIA 94107  
CONTACT: RYAN CROWLEY  
PHONE: (415) 341-5301

##### PROPERTY INFORMATION

OWNER: MT. PLEASANT CHRISTIAN  
ADDRESS: CHURCH OF SAN JOSE  
3535 CLAYTON RD.  
SAN JOSE, CA 95127

CONTACT: GARY WOODARD  
PHONE: (408) 258-1822

AREA OF CONSTRUCTION: ±500 SQ. FT.

OCCUPANCY TYPE: S-2

CONSTRUCTION TYPE: TYPE V - N

CURRENT ZONING: R-1-B

ZONING APPLICATION #: T.B.D.

LATITUDE: 37° 21' 25.1" N (NAD83)

LONGITUDE: 121° 47' 55.2" W (NAD83)

A.P.N.: 612-36-036

HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

#### PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- |                                    |  |
|------------------------------------|--|
| 1. 1997 UNIFORM BUILDING CODE      | 6. 2001 CALIFORNIA FIRE CODE           |
| 2. 2001 CALIFORNIA BUILDING CODE   | 7. 2001 CALIFORNIA CODE OF REGULATIONS |
| 3. 2001 CALIFORNIA PLUMBING CODE   | FOR ENERGY CONSERVATION                |
| 4. 2001 CALIFORNIA MECHANICAL CODE | 8. LOCAL ZONING & BUILDING CODE        |
| 5. 2001 CALIFORNIA ELECTRICAL CODE | 9. CITY/COUNTY ORDINANCES              |

#### CODE COMPLIANCE

##### ARCHITECT:

CONSULTANT'S NAME: MSA ARCHITECTURE AND PLANNING, INC.  
ADDRESS: 208 UTAH STREET, SUITE 310  
CITY, STATE, ZIP: SAN FRANCISCO, CA 94103  
CONTACT: ROBERT ZEHM  
PHONE: (415) 503-1363

##### SURVEYOR

CONSULTANT'S NAME: SMITH & COMPANY  
ADDRESS: P.O. BOX 81626  
CITY, STATE, ZIP: BAKERSFIELD, CA 93380  
CONTACT: RICHARD KERR  
PHONE: (661) 393-1217

#### PROJECT TEAM

TITLE	SIGNATURE	DATE
SPRINT REPRESENTATIVE		
SPRINT RF ENGINEER		
SITE OWNER		

#### APPROVAL LIST

SHEET	DESCRIPTION	REV.
T1	TITLE SHEET	2
C-1	SITE SURVEY	2
C-2	SITE SURVEY	2
A1	SITE PLAN	2
A2	ENLARGED EQUIPMENT PLAN/ ANTENNA PLAN/ ELEVATION • PROPOSED CROSS	2
A3	ELEVATIONS	2

#### SHEET INDEX

ISSUED FOR:  
100% ZONING

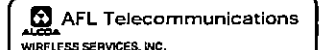
#### DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

#### GENERAL CONTRACTOR NOTES



6580 SPRINT PARKWAY  
OVERLAND PARK, KANSAS 66251



WIRELESS SERVICES, INC.  
167 TECHNOLOGY DR.  
IRVINE, CALIFORNIA 92618  
Office (530) 263-4339  
Fax (415) 495-6277



Architecture & Planning, Inc.  
208 Utah Street, Suite 310  
San Francisco, CA 94103  
415.503.1363 Fax 415.503.1362  
San Jose San Diego San Francisco  
www.msa-ap.com

PROJECT NO: SF60XC816B

DRAWN BY: MIF/EPAC

CHECKED BY: RZ

REV	DATE	DESCRIPTION
0	05/17/04	90% ZONING
1	06/03/04	100% ZONING
2	10/13/04	100% ZONING REV.



IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

MT. PLEASANT CHRISTIAN  
CHURCH

SF60XC816B

3535 CLAYTON RD.  
SAN JOSE, CA 95127

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1

# PARENT PROPERTY DESCRIPTION:

SEE SHEET C-2

## LEASE AREA DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL OF LAND; THENCE S 61°18'14" W ON AND ALONG THE NORTH LINE OF SAID PARCEL OF LAND, A DISTANCE OF 157.78 FEET; THENCE LEAVING SAID NORTH LINE S 28°41'46" E, A DISTANCE OF 23.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 28°53'25" E, A DISTANCE OF 25.00 FEET; THENCE S 61°06'35" W, A DISTANCE OF 10.00 FEET TO POINT "A"; THENCE CONTINUING S 61°06'35" W, A DISTANCE OF 10.00 FEET; THENCE N 28°53'25" W, A DISTANCE OF 12.50 FEET TO POINT "B"; THENCE CONTINUING N 28°53'25" W, A DISTANCE OF 12.50 FEET; THENCE N 61°06'35" E, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 500 SQUARE FEET, MORE OR LESS.

TOGETHER WITH A 5.00 FOOT WIDE UTILITY EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE DESCRIBED POINT "A"; THENCE S 40°09'07" E, A DISTANCE OF 139.48 FEET; THENCE S 02°06'58" E, A DISTANCE OF 134.10 FEET TO AN EXISTING UTILITY POLE AND THE TERMINUS OF THIS DESCRIPTION.

TOGETHER WITH A 12.00 FOOT WIDE ACCESS EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE MENTIONED POINT "B"; THENCE S 65°59'22" W, A DISTANCE OF 104.89 FEET; THENCE S 27°01'58" W, A DISTANCE OF 64.63 FEET; THENCE S 04°54'54" W, A DISTANCE OF 36.47 FEET; THENCE S 12°46'49" E, A DISTANCE OF 118.72 FEET; THENCE S 02°47'52" W, A DISTANCE OF 138.55 FEET TO THE NORTH RIGHT OF WAY LINE OF CLAYTON ROAD AND THE TERMINUS OF THIS DESCRIPTION.

## NOTES

OWNER: MT. PLEASANT CHRISTIAN CHURCH OF SAN JOSE

APN: 612-36-036

THE INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY AND A COMPILATION OF AVAILABLE RECORD AND TITLE INFORMATION. UNLESS NOTED OTHERWISE, PROPERTY LINES ARE DERIVED FROM RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT BY: COMMONWEALTH TITLE COMPANY, ORDER NO. 94190846-J13, DATED APRIL 15, 2004.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE LATITUDE AND LONGITUDE AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 37°21'25.1" N. NAD 83  
LONG. 121°47'55.2" W. NAD 83  
ELEV. 332.0 NAVD 88 (BASIS OF DRAWING)

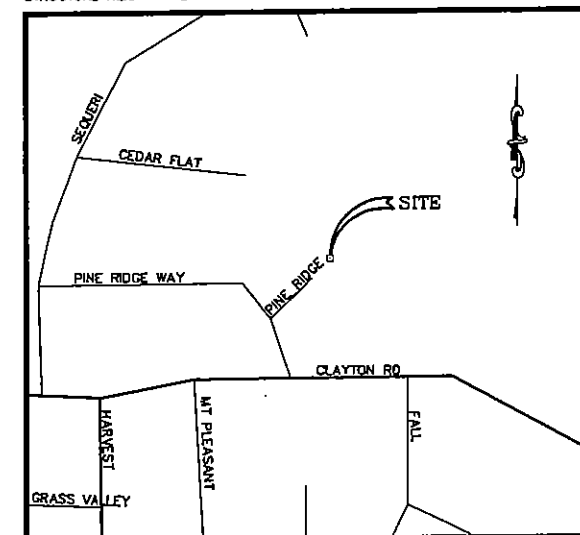
LAT. 37°21'25.3" N. NAD 27  
LONG. 121°47'51.4" W. NAD 27  
ELEV. 329.2 NGVD 29

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19c for 1-A accuracy (± 15' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest tenth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

GROUND ELEV. = 332.0' A.M.S.L. (NAVD 88)

TOP OF STRUCTURE ELEV. = 352.0' A.M.S.L. (NAVD 88)

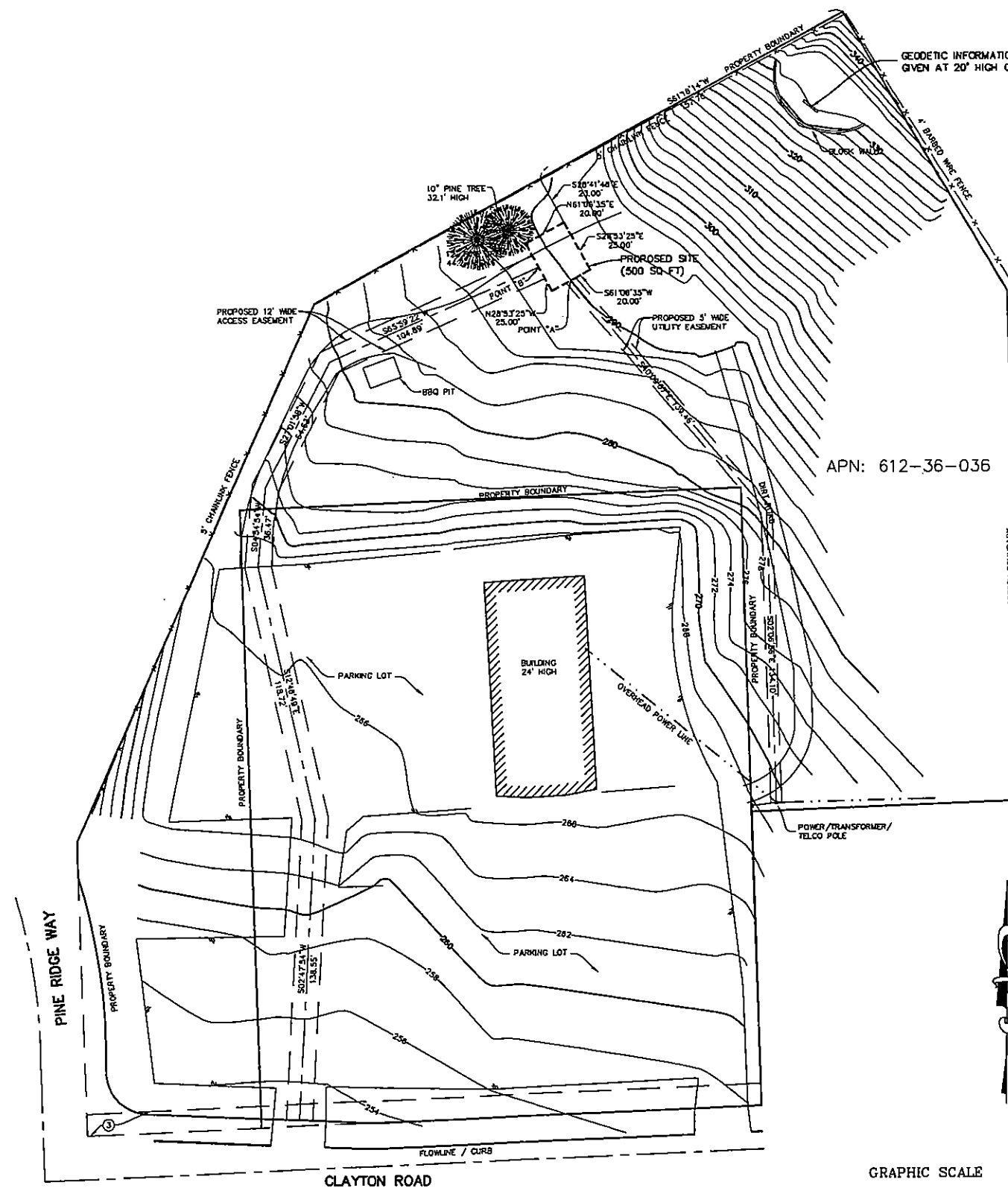
STRUCTURE HEIGHT = 20.0'



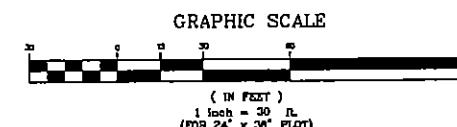
VICINITY MAP  
NOT TO SCALE

## LEGEND

- UNDERGROUND WATER
- UNDERGROUND TELEPHONE
- UNDERGROUND ELECTRICAL
- UNDERGROUND GAS
- SITE BOUNDARY LINE
- POWERLINE
- PROPERTY LINE
- POWER POLE (P.P.)
- FLOOD LIGHT
- FIRE HYDRANT
- WATER VALVE
- ELECTRIC METER
- WATER METER



SITE PLAN



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www.msa-ap.com

PROJECT NO: SF60XC816-B

DRAWN BY: DL/PWC

CHECKED BY: HJ

REV	DATE	DESCRIPTION
0	06/01/04	PRELIMINARY

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MT PLEASANT CHURCH  
SF60XC816-B  
3535 CLAYTON ROAD  
SAN JOSE, CA 95127  
SANTA CLARA COUNTY

SHEET TITLE  
SITE SURVEY

SHEET NUMBER  
C-1



PARENT PROPERTY DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

(CITY OF SAN JOSE)

PARCEL 1:

BEGINNING AT A 3/4" IRON PIPE IN THE NORTHERLY LINE OF CLAYTON ROAD, FORMERLY STORY ROAD, AS IT EXISTED, 50 FEET WIDE, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY AUGUST NARDUCCI, ET UX, TO GILBERT BONNER, ET UX, BY DEED RECORDED FEBRUARY 24, 1984 IN BOOK 6397 OF OFFICIAL RECORDS, AT PAGE 508, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SAID NORTHERLY LINE OF CLAYTON ROAD, SOUTH 86°52' 35" WEST 310.00 FEET TO A 3/4" IRON PIPE; THENCE NORTH 22°43' 15" EAST 289.18 FEET TO A 3/4" IRON PIPE; THENCE NORTH 60°17' 45" EAST 275.64 FEET TO A 3/4" IRON PIPE SET AT A POINT IN THE DIVIDING LINE BETWEEN THE LANDS OF NARDUCCI AND LE DEIT AS SAID LINE WAS ESTABLISHED BY THE DECREE QUIETING TITLE MADE IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, ON APRIL 11, 1919 RECORDED IN BOOK 487 OF DEEDS AT PAGE 68, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SAID DIVIDING LINE BETWEEN THE LANDS OF NARDUCCI AND LE DEIT, SOUTH 31°49' 30" EAST 149.28 FEET TO A 3/4" IRON PIPE AND SOUTH 3°02' 25" EAST 234.66 FEET TO A 3/4" IRON PIPE SET AT THE NORTHEASTERLY CORNER OF THE LANDS CONVEYED BY MANUEL G. LIMA, ET UX, TO DONALD G. LAURIANO, ET UX, BY DEED RECORDED MARCH 22, 1984 IN BOOK 2838 OF OFFICIAL RECORDS, AT PAGE 1, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE NORTHERLY LINE OF SAID LANDS OF LAURIANO, ET UX AND THE AFORESAID LANDS OF BONNER, ET UX, SOUTH 86°52' 35" WEST 125.20 FEET TO A 3/4" IRON PIPE SET AT THE NORTHWESTERLY CORNER OF SAID LANDS OF BONNER; THENCE ALONG THE WESTERLY LINE OF SAID LANDS OF BONNER, SOUTH 3°07' 25" EAST 135.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

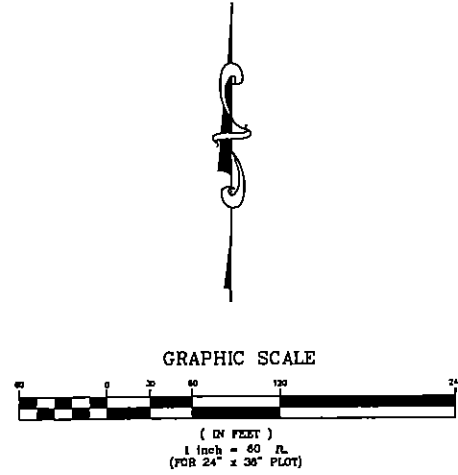
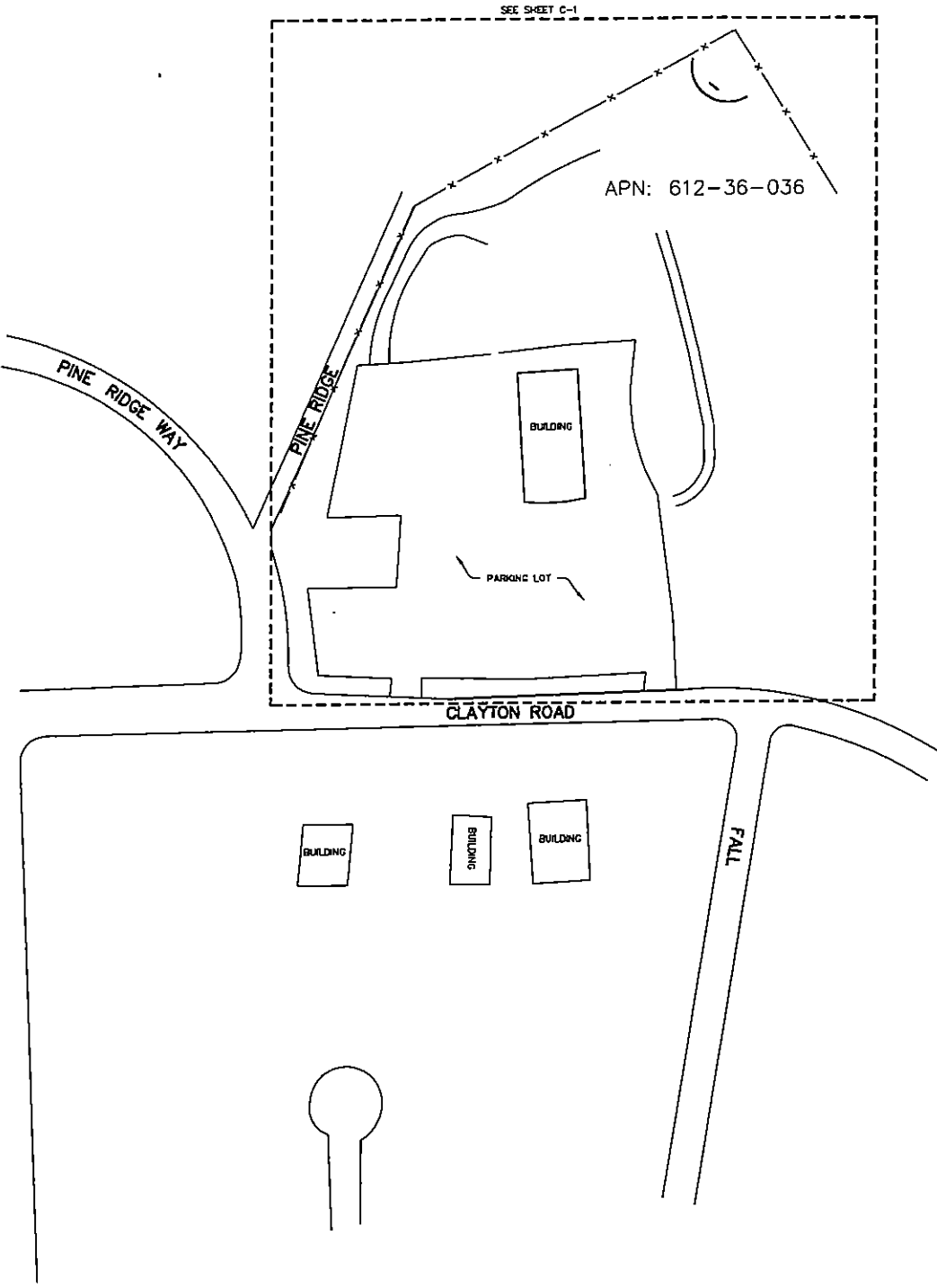
BEGINNING AT A 3/4" IRON PIPE IN THE NORTHERLY LINE OF CLAYTON ROAD, FORMERLY STORY ROAD, AS IT EXISTED, 40 FEET WIDE, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY AUGUST NARDUCCI, ET UX, TO GILBERT BONNER, ET UX, BY DEED RECORDED FEBRUARY 24, 1984 IN BOOK 6397 OF OFFICIAL RECORDS, AT PAGE 508, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SAID NORTHERLY LINE OF CLAYTON ROAD, SOUTH 86°52' 35" WEST 230.00 FEET; THENCE AT RIGHT ANGLES NORTH 3°07' 25" WEST 284.09 FEET; THENCE AT RIGHT ANGLES NORTH 86°52' 35" EAST 230.00 FEET; THENCE AT RIGHT ANGLES SOUTH 3°52' 35" EAST 284.09 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

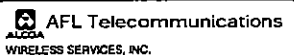
BEGINNING AT A 3/4" IRON PIPE IN THE NORTHERLY LINE OF CLAYTON ROAD, FORMERLY STORY ROAD, AS IT EXISTED, 40 FEET WIDE, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY AUGUST NARDUCCI, ET UX, TO GILBERT BONNER, ET UX, BY DEED RECORDED FEBRUARY 24, 1984 IN BOOK 6397 OF OFFICIAL RECORDS, AT PAGE 508, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SAID NORTHERLY LINE OF CLAYTON ROAD, SOUTH 86°52' 35" WEST 230.00 FEET; THENCE AT RIGHT ANGLES NORTH 3°07' 25" WEST 284.09 FEET; THENCE AT RIGHT ANGLES NORTH 86°52' 35" EAST 230.00 FEET; THENCE AT RIGHT ANGLES SOUTH 3°52' 35" EAST 284.09 FEET TO THE POINT OF BEGINNING.

SCHEDULE B: EXCEPTIONS AND EXCLUSIONS

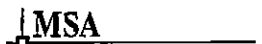
- PROPERTY TAXES, INCLUDING GENERAL AND SPECIAL TAXES, PERSONAL PROPERTY TAXES, IF ANY, AND ANY ASSESSMENTS COLLECTED WITH TAXES, TO BE LEVIED FOR THE FISCAL YEAR 2004-2005 WHICH ARE A LIEN NOT YET PAYABLE.
  - SANTA CLARA COUNTY AND CITY OF SAN JOSE BONDS AND ASSESSMENTS.
  - SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, ASSESSED PURSUANT TO THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.
- RIGHTS OF THE PUBLIC, COUNTY AND/OR CITY IN THAT PORTION LYING WITHIN THE STREET AS IT NOW EXISTS: STREET NAME: CLAYTON ROAD, NOT PLOTTABLE.
  - TERMS, CONDITIONS AND PROVISIONS OF AN INSTRUMENT ENTITLED AGREEMENT FOR CONSTRUCTION OF DEFERRED LAND DEVELOPMENT IMPROVEMENTS, BOOK 7713, PAGE 490, SERIES NO. 3218927, NOT PLOTTABLE.
  - AN EASEMENT GRANTED TO THE CITY OF SAN JOSE FOR STREET PURPOSES. SERIES NO. 18405489, PLOTTED.
  - MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION OR BY A SURVEY OF SAID LAND THAT IS SATISFACTORY TO THIS COMPANY, OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF, NOT PLOTTABLE.
  - ANY RIGHTS, INTERESTS OR CLAIMS OF THE PARTIES IN POSSESSION OF SAID LAND, INCLUDING BUT NOT LIMITED TO THOSE BASED ON AN UNRECORDED AGREEMENT, CONTRACT OR LEASE, NOT PLOTTABLE.



6580 SPRINT PARKWAY  
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PROJECT NO: SF60XC816-B

DRAWN BY: DL

CHECKED BY: XX

REV	DATE	DESCRIPTION
0	06/01/04	PRELIMINARY

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MT PLEASANT CHURCH  
SF60XC816-B  
3535 CLAYTON ROAD  
SAN JOSE, CA 95127  
SAN JOSE COUNTY

SHEET TITLE  
SITE SURVEY

SHEET NUMBER  
C-2





